

AFFIDAVIT OF SERVICEUNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORKCASE #: 07 CIV.8714
RAQUEL A. PESCE, ON BEHALF OF HERSELF AND ALL OTHERS SIMILARLY SITUATED,

PHILLIPS & BURNS, LLC

against

Plaintiff(s)/Petitioner(s)

State of NY

Defendant(s)/Respondent(s)

County of Albany SS

Kerry Gunner

being duly sworn, deposes and says: that deponent is not a party to this action, is over 18 years of age and resides in the state of New York.

That on 10/10/07 at 1:30 PM

at the office of the Secretary of State of the State of New York in the City of Albany, NY,
deponent served the within**SUMMONS IN A CIVIL ACTION, CLASS ACTION COMPLAINT**upon: **PHILLIPS & BURNS, LLC**defendant/respondent in this action by delivering and leaving with Carol Vogt
authorized agent in the office of the Secretary of State of the State of New York, 41 State Street, Albany, NY, two (2) true copies
thereof and that at the time of making such service, deponent paid said Secretary of State a fee of \$40.00. That said service was
made pursuant to section

303 of the Limited Liability Company Law

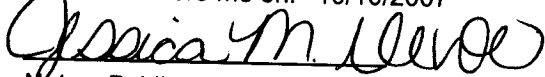
Deponent further says that the person so served was known as aforesaid to be an authorized agent in the office of the Secretary
of State of The State of New York duly authorized to accept such service on behalf of said defendant/respondent.

Deponent further states that the person actually served is described as follows:

DESCRIPTION:

Sex	Skin Color	Hair Color	Approx. Age	Approx. Ht	Approx. Wt.	Other:
female	white	dark	48-52	5'3"	110	

Sworn to before me on: 10/10/2007


 Notary Public


 Kerry Gunner
Lightning Legal Services, LLC
P.O. Box 9132
Albany, NY 12209

99022

Claudia M. Murphy
Notary Public, State of NY
No 01MU5016071
Qualified in Albany County
Commission expires 8/2/05Kerry Gunner
Notary Public, State of NY
No 01GU5038710
Qualified in Albany County
Commission expires 2/6/2013Jessica DeVoe
Notary Public, State of NY
No 01DE6042657
Qualified in Albany County
Commission Expires 5/30/10